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PART – I

Notifications, Orders and Declarations by Haryana Government

HARYANA GOVERNMENT

IRRIGATION & WATER RESOURCES DEPARTMENT

Notification

The 19th January, 2021

Online Transfer Policy of Sub Divisional Clerk

No. 2263/A-I/NGE-I/2021.— In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Haryana hereby makes the following Online Transfer Policy, namely:-

1. **Short title and Vision:** This policy may be called the “**Online Transfer Policy of Sub Divisional Clerks of Irrigation & Water Resources Department Haryana**”. This Policy is made to ensure equitable distribution of Sub Divisional Clerk at different locations in a fair and transparent manner and to maximize job satisfaction amongst employees and further to improve performance of the department.
2. **APPLICATION:-** This Policy shall be applicable to all Sub Divisional Clerks who are members of State cadre working on regular basis.
3. **DEFINITIONS:** In this policy, unless there be anything repugnant in the subject or context;
 - (a) **‘Blocked Posts’** means the vacancies of a cadre remain unfilled at any given point of time due to shortage of employees in the department.
 - (b) **‘Employees of Special Category’** means the blind employees or the differently abled employees or their child(ren) and spouse, women employees, women headed households, widows, widowers, couple case, employee suffering from Diseases of Debilitating Disorder;
 - (c) **‘Prescribed Tenure’** means the tenure of appointment for a period of five years in a particular office (Sub-Division/ Division/ Circle office) and ten years in a Circle. While calculating the tenure of an employee for the purpose of this policy, the date from which someone is working in a zone on 31st March of the calendar year of transfer shall be counted irrespective of the fact he/she has been appointed by temporary transfer or otherwise. However, an employee may participate in the transfer drive subject to completion of minimum three years service in a zone/office;
 - (d) **‘Qualifying date’ for the purpose of calculation of vacant post(s)** shall be the 31st March of the Calendar year of transfer.;
 - (e) **‘Service’** means duty period and all kinds of leave including extraordinary leave availed by Sub Divisional Clerk during the prescribed tenure.
 - (f) **‘Transfer’** means posting/appointment from one Sub-Division/ Division/ Circle to another on or before completion prescribed tenure in a Sub-Division/ Division/ Circle;

- (g) **‘Vacant Post for transfer’** means
- (i) a post not occupied by any Sub Divisional Clerk;
 - (ii) a post presently occupied by any Sub Divisional Clerk for a period of five years or more;
 - (iii) a post on which any Sub Divisional Clerk has been appointed by temporary transfer or due to non-availability of online transfer drive;
 - (iv) a post occupied by any Sub Divisional Clerk who has been adjudged eligible and allowed by the competent authority to participate in the general transfer drive even if he has not completed the prescribed tenure in the Sub-Division/ Division/ Circle where he is presently posted.
- Note 1.—** Where there are Blocked Posts in a cadre the same shall be excluded from the number of vacant posts for transfer.
- Note 2.—** The post against which any Sub Divisional Clerk has been posted/transferred on compulsion of administrative reason or litigation nature shall also not be included in the vacant posts for transfer.
- Note 3.—** Department shall prepare the list of vacant posts for transfer and notify them for the benefit of stakeholder. Depending upon input from stakeholders, such list may be amended if required.
- (h) **‘Sub Division/ Division/ Circle’** means an area prescribed by the competent authority for the purpose of calculation of prescribed tenure and entitlement of any Sub Divisional Clerk for transfer from one Sub-Division/ Division/ Circle to another under this policy;

4. GENERAL PRINCIPLES:

- (i) **Time Scheduled for Online Transfers:**
- (a) General transfers online will be made only once in a year. However, transfer/posting necessitated by promotion, direct recruitment, posts needed to be filled up in a public interest, can be made anytime by the competent authority.
 - (b) The online process will be completed up to 31st March and implemented after 31st March or as per exigency/convenience of the department.
 - (c) Every Sub Divisional Clerk having 5 years of stay/ tenure in a particular office (Sub-Divisional/ Divisional Office/ Circle Office) and 10 years of stay/ tenure in a Circle has to be compulsory shifted.
 - (d) A Sub Divisional Clerk who has completed 3 years stay/tenure in a particular office can opt for his transfer within or out of circle, where he/she is posted. But a Sub Divisional Clerk who has completed 10 years stay/tenure in a Circle cannot opt for his transfer within the same circle.
 - (e) In case, any Sub Divisional Clerk having 5 years of stay in a particular office cannot opt his preference for the same office, but he can opt any other office within same circle. Similarly, any Sub Divisional Clerk having 10 years of stay in a particular circle cannot opt his preference for any office in that circle. Once posted at one station, he will not be allowed to submit his option for 3 years and will be transferred as per provision of policy thereafter.
 - (f) The posting of Sub Divisional Clerk in a particular Sub Division/ Division/ Circle will be affected on the basis of the number of vacancies in a particular Sub Division/ Division / Circle.
 - (g) The vacancies in a Sub-Division/ Division/ Circle will be filled up on the basis of number of vacancies. The number of vacancies (actual or deemed) in the Sub Divisions/ Divisions/ Circle within the same zone will be arranged from highest to lowest. The Sub Division/ Division/ Circle having highest vacancy will be filled up first and the Sub Division/ Division/ Circle with lowest vacancies will be filled up in the last.
 - (h) Minimum stay for seeking transfer shall be 3 years after which he can participate in drive.
- (ii) **Liable to be posted anywhere :**
- Sub Divisional Clerks are liable to be transferred under this policy in any Sub-Division/ Division/ Circle or anywhere in the State, in public interest, on completion of prescribed tenure.
- (iii) **Computerization of relevant service record of employees:**
- The Department shall ensure that all employees enter their service record in HRMS. Every employee shall be responsible for the accuracy and regular updation of data in the Management Information System in respect of his credentials, otherwise the department shall be at liberty to post him anywhere in the State.

- (iv) **Rationalization and Blocking of posts:** To avoid disproportionate concentration of employees at a particular station, the department should rationalize their sanctioned post and block actual vacant post to be kept vacant in the transfer drive. In the long run, however, the department may increase/decrease the total number of sanctioned posts as per their assessment/requirement in consultation with Work Assessment Cell in the Administrative Reforms Department and Finance Department.

5. MERIT CRITERIA FOR ALLOTMENT OF POST:

- (a) Merit for allotment of vacant post to any Sub Divisional Clerk shall be based on the total composite score of points earned by a Sub Divisional Clerk, out of 80 points as described below. The Sub Divisional Clerk earning highest points shall be entitled to be transferred against a particular vacancy.
- (b) Age shall be the Prime Factor for deciding the claim of the Sub Divisional Clerk against a vacancy since it shall have weightage of 60 points, out of total points.
- (c) A privilege of maximum 20 points can be availed by the Sub Divisional Clerk of special categories as indicated below:-
- (A) **Age:** The first set of merit points will be the age of the Sub Divisional Clerk concerned enumerated below:-

Sr. No.	Major Factor	Sub-Factor	Max. Points	Criteria for Calculation
1	Age (Present date i.e. (1st January of the year of consideration minus date of birth)	Eldest person shall be given maximum points	60	Age in number of days/365 (maximum four decimal points only)

- (B) **Special Category:-** The Second Set of merit points will come from the special categories enumerated hereinafter:

Sr. No.	Major Factor	Sub-Factor	Max. Points	Explanation
1.	Gender	Female	10	10 Points shall be given to all female Sub Divisional Clerk
2.	Special Category of female Sub Divisional Clerk	Widow/divorced/ legally separated/ unmarried female employee or the Sub Divisional Clerk having married with Military personal/ Paramilitary personal working outside the State	10	All female of this category shall be given 10 marks only
3.	Special Category of male Sub Divisional Clerk	Widower who has not re-married and has one or more minor children and / or unmarried daughter (s)	5	Eligible widowers shall be given 5 points only.
4.	Differently abled persons	Vision	20	40% to 60% disability= 10 Marks Above 60% to 80%= 15 Marks Above 80%= 20 marks
		Locomotors	20	
		Deaf & Dumb	20	
5.	Diseases of "Debilitating Disorders" i.e. (a) Currently suffering from Cancer; or (b) Having undergone by-pass heart surgery; or	Self	10	Valid medical certificate issued during last one year by AIIMS (including its branches in Haryana), PGI Rohtak, PGI Khanpur Kalan, Kalpana Chawla Medical College Karnal, PGI Chandigarh, Medical college of Haryana Government or a medical board so constituted.

	(c) Kidney transplant; or (d) Currently undergoing dialysis.																								
6.	Diseases of “Debilitating Disorders”	Spouse/Un-married Children	10	Valid medical certificate issued during last one year by AIIMS (including its branches in Haryana), PGI Rohtak, PGI Khanpur Kalan, Kalpana Chawla Medical College Karnal, PGI Chandigarh, Medical college of Haryana Government or a medical board so constituted.																					
7.	Differently abled or mentally challenged children	Male/Female employee having mentally challenged or 100% differently abled child.	10	Male/Female employee having mentally challenged or 100% differently abled children shall be provided maximum 10 points.																					
8.	Couple case	Only applicable to females	5	Employees’ spouses working in any department/board/corporations under any state Govt. or Govt. of India.																					
9.	Earning Performance	An employee earning good performance through ACR of last one year. Any ACR during the last 3years, if last ACR not available	5	Grading of ACR Outstanding = 5 Very good = 2 Others =0																					
10.	Negative performance	An employee awarded with punishment during the period under: (i) Rule-4 (a) (ii) Rule-4 (b) of Haryana Civil Services (Punishment & Appeal Rules, 2016)	(-)7 (-)3.5	<table><tr><td colspan="3">Deduction of points Under Rule</td></tr><tr><td>Punishment awarded</td><td>4(a)</td><td>4(b)</td></tr><tr><td>1st</td><td>1</td><td>0.5</td></tr><tr><td>2nd</td><td>2</td><td>1</td></tr><tr><td>3rd</td><td>4</td><td>2</td></tr><tr><td>4th</td><td>6</td><td>3</td></tr><tr><td>5th</td><td>7</td><td>3.5</td></tr></table>	Deduction of points Under Rule			Punishment awarded	4(a)	4(b)	1st	1	0.5	2nd	2	1	3rd	4	2	4th	6	3	5th	7	3.5
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			Note.— 1. Both reductions to be made if punished under both. 2. The negative marks will be deducted from the maximum admissible 20 merit points																						

- (e) The employees who are 100% blind or having 80% or more locomotors disabilities involving both the legs shall be given their choice of posting.

6. PROCEDURE TO BE ADOPTED:

- (i) Head of Department shall seek preferences for choice of stations in a Sub-Division/ Division/ Circle from the eligible employees for transfers. The transfer exercise shall be carried out only through approved web based application.
- (ii) The option once chosen and confirmed by the employees shall be final and cannot be changed.
- (iii) Any Sub Divisional Clerk, who is due for superannuation within one year or less service shall not be transferred from his place of posting against his will even on completion of maximum stay in that office, but he can participate in the transfer drive if he/she desires so.

- (iv) Merit criteria for allotment of station will be as per para 5 above.
- (v) All transfers shall be implemented within 7 days of their issuance. The Treasury Officers concerned shall not draw the salary of the Sub Divisional Clerk, who has not complied with the orders.
- (vi) Within 15 days of issuance of orders, the Sub Divisional Clerk aggrieved with the transfer process can represent to the department after joining at the new place of posting, on a grievance redressal forum to be provided by the department for this purpose. Their representations shall be considered in accordance with the policy and appropriate decision shall be conveyed to them as deemed fit.
- (vii) Online general transfer due to completion of prescribed tenure of 5 years shall be treated as 'transfer in public interest' and in such case the joining time and composite transfer grant shall be admissible as per provision in Haryana Civil Services Rules, 2016.

7. BAR AGAINST CANVASSING:

No Sub Divisional Clerk shall canvass for his/her case except through a representation to the Head of Department or to higher authorities in Haryana, as per this policy. All other individual representation shall be treated as an attempt to bring extraneous influence on the due process. No relief can be sought except the one already sought as per para 6 above.

8. APPOINTMENT BY PROMOTION/DIRECT RECRUITMENT:-

Any Sub Divisional Clerk taken in a cadre through direct recruitment/ promotion/ repatriation shall be posted in the Sub Division/ Division/ Circle of eligibility and availability.

9. OPPORTUNITY OF OPTION TO CERTAIN CATEGORIES:-

The following categories of Sub Divisional Clerk will not be transferred unless they desire to participate in the transfer drive:-

- (a) Sub Divisional Clerk having 12 months or less in retirement on the date of next transfer drive;
- (b) Unmarried female employees upon marriage;
- (c) Married female employees upon divorce; or
- (d) widow or widower employees on the death of spouse;

10. POSTING IN REMOTE AREAS:

Incentive for serving on the choice of anywhere in the State: If any Sub Divisional Clerk opts for 'anywhere in the State and is thereafter posted in an office in Morni Hills Area or Nuh District against a vacancy for which no Sub Divisional Clerk has opted, they will be paid remuneration @ 10% of the basis pay + DA during the period of said posting provided this incentive shall not be admissible in case of transfer in home district Nuh and Panchkula.

11. CLARIFICATION & IMPLEMENTATION:

In case of any doubt or difficulty in making out the true intention of the provisions of this policy, the Administrative Secretary of the department shall be the competent authority to clarify such doubt or to remove such difficulty by issuing a reasoned order to this effect.

12. POWER TO RELAX:-

Notwithstanding anything contained in the policy, the Administrative Secretary, Irrigation & Water Resources Department, Haryana with the prior approval of the Chief Minister, Haryana, shall be competent to transfer any Sub Divisional Clerk to any place in relaxation of any or all of the above provisions after recording reasons justifying such relaxation.

DEVENDER SINGH,
Additional Chief Secretary to Government Haryana,
Irrigation and Water Resources Department.